

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 7TH FEBRUARY 2007 / 18TH MAGHA 1928

OP.No. 12949 of 2000(N)

PETITIONER:

RAM COIR MILLS, P.B.NO.34, CHERTHALA,
REPRESENTED BY ITS PARTNER, SANTHAKUMAR

BY ADV. SRI.V.GIRI

RESPONDENTS:

1. UNION OF INDIA REPRESENTED BY THE SECRETARY,
MINISTRY OF INDUSTRY, GOVT. OF INDIA,
SOUTH BLOCK, NEW DELHI.
2. COIR BOARD REPRESENTED BY ITS SECRETARY,
M.G.ROAD, ERNAKULAM
3. THE CHAIRMAN, COIR BOARD, M.G.ROAD, ERNAKULAM
4. DEPUTY DIRECTOR, PURCHASE PRICE (E) SCHEME,
COIR BOARD, ALAPUZHA.

BY ADV. SRI.JOHN VARGHESE, ASSISTANT SG

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD
ON 07/02/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

ORDER ON C.M.P.NO.21163/2000 IN O.P.NO.12949/2000

DISMISSED.

7-2-2007

SD/- KURIAN JOSEPH, JUDGE

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1. TRUE COPY OF NOTIFICATION DT. 27-2-1991

EXT.P2. TRUE COPY OF THE RELEVANT GUIDELINES ISSUED BY COIR BOARD.

EXT.P3. TRUE COPY OF THE ORDER IN CMP NO.51146 OF 1999 IN OP NO.27299 OF 1999 DT. 3-12-1999

EXT.P4. TRUE COPY OF INVOICE RAISED ON WINDHAM TRADING CORPN. NO.3717

EXT.P5. TRUE COPY OF PROFORMA INVOICE NO.3714

EXT.P6. TRUE COPY OF PROFORMA INVOICE NO.3718.

EXT.P7. TRUE COPY OF PROFORMA INVOICE DT. 16-4-2000

EXT.P8. TRUE COPY OF PROFORMA INVOICE DT. 17-4-2000

EXT.P9. TRUE COPY OF PROFORMA INVOICE RAISED ON TERRAFIX GEOSYBTHETICS INC.

RESPONDENTS' EXHIBITS:

EXT.R1. TRUE EXTRACT OF THE COIR INDUSTRY (R & L) RULES, 1958.

EXT.R2. TRUE COPY OF LETTER NO.CB/1999/EP-II/10/25 DTD. 25-2-2000

EXT.R3. TRUE COPY OF THE LETTER DTD. 10-3-2000 ADDRESSED TO THE COIR BOARD BY THE PETITIONER.

EXT.R4. TRUE COPY OF THE EXPLANATION DATED 31-3-2000 SUBMITTED BY THE PETITIONER.

EXT.R5. TRUE COPY OF THE MINUTES OF THE MEETING OF THE COIR BOARD HELD ON 12-5-2000

EXT.R6. TRUE COPY OF THE UNDERTAKING FOR QUALIFY INSPECTION FILED BY THE PETITIONER.

EXT.R7. TRUE COPY OF THE CODE OF CONDUCT FOR EXPORTERS.

/ TRUE COPY /

KURIAN JOSEPH, J.

O.P.No.12949 Of 2000

Dated this the 7th day of February, 2007

JUDGMENT

The writ petition is filed with the following prayers:-

- a) To declare that the Coir Board and its officials have no jurisdiction to insist that the goods exported by the petitioner as licensed exporter of Coir Goods and Coir Products are necessarily to be made available for pre-shipment quality inspection by the officials of the Coir Board.
- b) Issue a writ of mandamus or any other appropriate writ order or direction commanding the 2nd respondent to forthwith register the contract placed on the petitioner by the Overseas buyers without insisting on any pre-shipment quality inspection provided the overseas buyer dispense with any such inspection.

It is submitted that in view of the interim order in C.M.P.No.21163/2000 no further orders are necessary in this writ petition. Hence this writ petition is closed.

(KURIAN JOSEPH, JUDGE)

ahg.

KURIAN JOSEPH, J.

O.P.NO.12949/2000

JUDGMENT

7th February, 2007